

PROCESS SERVICE SPECIFICATIONS

I. Procedural Requirements

- a. Contractor will perform field service of civil and criminal legal documents, including, but not limited to, subpoenas, orders to show cause, summons and complaints, jurisdictional/disposition hearings and other juvenile court petitions.
- b. The original proof of service is to be provided to the County no later than 10 calendar days from the date of service.
- c. The first service attempt is to be performed within 72 hours from the date of receipt of the service packet, unless otherwise noted on service request. First attempt must be documented on field notes and on declarations of due diligence.
- d. The service of process is to be completed within 30 calendar days for DCSS and 21 calendar days for DCS, of the date of receipt of the service packet, which is to include service instructions. In each attempt to serve, Contractor will perform a reasonable inquiry, check neighbors, and run vehicle plates. If service has been successful, Contractor will provide a valid proof of service. If all service attempts have been unsuccessful within the allowed time, Contractor will return the service packet to County with field notes and a declaration of due diligence. If service attempts are not possible due to bad address or incomplete address, service packet is to be returned immediately to the appropriate County Department.
- e. All proofs of service and declarations of due diligence are to be accompanied by an itemized billing statement.
- f. Non e-filed Proof of Services must be on the approved California Judicial Council form.
- g. If Contractor does not have office coverage during normal business hours, Contractor will be reachable by either cell phone or by pager during normal business hours.

II. Legal Requirements

- a. Contractor, whenever possible, will attempt and perform personal service by delivery of the service documents to the individual named.
- b. Where personal service is accomplished, it must be documented in a proof of service on a California Judicial Council form ready to file in court. The Proof of Service must meet all existing legal requirements, including, but not limited to, the following: list of documents served; name of the person served; the time, date, location, and manner of service; signature and date of the service agent, stating the county in which he/she is registered and his/her registration number. The County shall be provided with two (2) original copies.
- c. Contractor understands and agrees that authority to sign a Proof of Service cannot be delegated. Contractor shall submit to the County only Proofs of Service signed by the agent who has performed the service.
- d. The County reserves the right, upon five (5) working days notice, to exclude specific employees, agents or subcontractors of Contractor from being used to serve County documents when County determines the exercise of such right to be in the best interest of the County.

- e. Where personal service is not possible, Contractor will attempt substituted service on the individual named, which will include the following steps:
 - 1. The service packet will be left at the named individual's dwelling house ("usual place of abode"), usual place of business, or usual mailing address (other than a U.S. Postal Service box);
 - 2. Leave the service packet with a "competent member of the household" or person "apparently in charge of his/her office or place of business," at least 18 years old, "...who shall be informed of the contents thereof."
 - 3. Thereafter, a second copy of the service packet is to be mailed (first class mail, postage prepaid) to the named individual at the place where the copies were left, within five (5) calendar days of sub-serving.
 - 4. All substituted services will be accompanied by a valid proof of service, with an attached affidavit of due diligence documenting that personal service was attempted on three different days at three different times of day. Thereafter, the Proof of Service on Affidavit must evidence a subsequent mailing to the address where the substituted service was completed.
- f. If it appears that a successful service may not be possible, Contractor will carefully evaluate the facts involved in the situation to determine if there is some evidence of service evasion on the part of the individual named. All such evidence will be carefully documented in field notes that may be incorporated into the document of non-service.

III. Service Packet Requirements

- a. The County will supply master Service Packets. Process Servers will be required to maintain copies. Process Servers are responsible for ensuring all required state forms and handbooks are included in the packet, and in designated order.
- b. The packet must be assembled in proper format. The Sub-service packet is the responsibility of the process servers to print, copy, and mail.
- c. Proof of Service and Declarations of Due Diligence shall be available in electronic form.

IV. E-Filing/Technological Requirements

- a. Contractor must have Internet access, printer, copier, form supplies, and computer hardware, with a database program such as MS-Access or its equivalent, which can organize and keep track of case activity.
- b. Contractor is required to have e-mail capability so that staff can forward queries to Contractor regarding the status of specific cases and respond to County inquiries within 24 hours.
- c. Contractor is required to have and maintain a web site that is updated daily, showing the current status of cases.
- d. Contractor shall be able to receive service documents in electronic form and assemble service packets from stock forms and provide County with Proof of Service and/or Declaration of Due Diligence in electronic form, at no additional charge.